IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 964 OF 2006

Shri Joy Nibaran Bishawas @
Jayant Sarkar ....Applicant.

V/s

The State of Maharashtra ....Respondent.

Mrs. P.P. Kakade for the applicant.
Mr. Y.S. Shinde for the respondent.

CORAM: V.M. KANADE, J.
DATE: 20th March, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. This is an application for further relaxing the conditions imposed by this Court of furnishing two local securities and reporting to Sahakarnagar Police Station twice in a month.

3. The learned Counsel appearing on behalf of the applicant submitted that this order dated 27/1/2006 was passed two months ago and in spite of best efforts the applicant could not furnish two sureties from Pune, though he is in a position to give sureties from Kolhapur.

4. The learned APP opposed this application and submitted that the verification was made by the Investigating Officer in respect of applicant's permanent residence in Pune and it was found that he does not have close relatives in Pune. He, therefore, submitted that if local sureties are not given, he is likely to abscond. It is submitted that the offence with which he is charged is a serious offence and, therefore, the conditions which are imposed cannot be relaxed.

5. There is much substance in the submissions of the learned APP appearing on behalf of the State. Initially, condition imposed by the Sessions Court was relaxed. It is not possible to further relax the conditions which are imposed by this Court.

6. Application is rejected and disposed of accordingly.

V.M. KANADE, J.